



GAU 1611 #5
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PATENT
Docket No. 273012011200

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on October 9, 2000.

U. S. P.
Irina Britva

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jill MACALPINE et al.

Serial No.: 09/551,159

Filing Date: April 14, 2000

For: IMPROVED β, β' -DIHYDROXY MESO-SUBSTITUTED CHLORINS, ISOBACTERIOCHLORINS, AND BACTERIOCHLORINS

Examiner: Not Assigned

Group Art Unit: 1611

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OCT 16 2000

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the references listed on the enclosed Form PTO-1449. Copies of the references are enclosed herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

sd-10987

Serial No. 09/551,159
Docket No. 273012011200

- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- ☐ A fee is required. A check in the amount of* is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this

document to **Deposit Account No. 03-1952** referencing 273012011200. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 9, 2000

Respectfully submitted,

By:



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PTO/SB/08 (2-92)

Sheet 1 of 2

Form PTO-1449

Docket Number 273012011200

Application Number 09/551,159

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

Applicant

Jill K. MACALPINE et al.

Filing Date April 14, 2000

Group Art Unit Not Yet Assigned

Mailing Date October 9, 2000

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	04/23/1985	4,512,762	Spears	604	21	
	2.	06/12/1990	4,932,934	Dougherty	604	21	
	3.	02/01/1994	5,283,255	Levy et al.	514	410	
	4.	11/01/1994	5,360,734	Chapman et al.	435	238	
	5.	07/15/1997	5,648,485	Dolphin et al.	540	474	
	6.	05/26/1998	5,756,541	Strong et al.	514	502	
	7.	07/07/1998	5,776,966	North	514	410	
	8.	08/25/1998	5,798,349	Levy et al.	514	185	
	9.	09/15/1998	5,807,881	Leong et al.	514	410	
	10.	11/10/1998	5,834,503	Kelly et al.	514	410	
	11.	02/09/1999	5,868,695	Wolf, Jr. et al.	604	4	
	12.	03/16/1999	5,882,328	Levy et al.	604	20	
	13.	03/28/2000	6,043,237	Meadows et al.	514	185	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
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OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	14.	Berenbaum, M.C. et al. (1986). "Meso-Tetra(Hydroxyphenyl)Porphyrines, a New Class of Potent Tumour Photosensitisers with Favourable Selectivity," <i>Br J Cancer</i> 54:717-725.
	15.	Bonnett, R. In: "Photosensitizing Compounds: their Chemistry, Biology and Clinical Use," Wiley, Chichester. Ciba Foundation Symposium 1989, 146, pp.40-59, 79.
	16.	Bonnett, R. et al. (1991). "Photodynamic Therapy with Chlorins for Diffuse Malignant Mesothelioma: Initial Clinical Results," <i>Br. J. Cancer</i> 64:1116-1120.
	17.	Bonnett, R. (1993). "New Photosensitisers for the Photodynamic Therapy of Tumours," <i>SPIE</i>

EXAMINER: (examiner)

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

Docket Number 273012011200

Application Number 09/551,159

Applicant

Jill K. MACALPINE et al.

Filing Date April 14, 2000

Group Art Unit Not Yet Assigned

Mailing Date October 9, 2000

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

2078:74-90.

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|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18. | Bonnett, R. (1995). "Studies on 5,10,15,20-Tetrakis(m-hydroxyphenyl)chlorin, m-THPC (TEMOPORFIN)," <i>Proc SPIE</i> 2371:31-38. |
| 19. | Bruckner, C. et al. (1995). "2,3-vic-Dihydroxy-meso-tetraphenylchlorins from the Osmium Tetroxide Oxidation of meso-Tetraphenylporphyrin," <i>Tetrahedron Lett</i> 36:3295-3298. |
| 20. | Bruckner, C. et al. (1995). "β,β'-Dihydroxylation of meso-Tetraphenylchlorins and Metallochlorins," <i>Tetrahedron Lett</i> 36:9425-9428. |
| 21. | Fisher, A.M.R. et al. (1995). "Clinical and Preclinical Photodynamic Therapy," <i>Lasers in Surgery and Medicine</i> 17:2-31. |
| 22. | Hassan, M.G.A. et al. (1977). "N-Methylated Tetraphenylporphyrines," <i>J Chem Soc., Perkin</i> 1:98-103. |
| 23. | Kessel, D. (1986). "Porphyrin-Lipoprotein Association as a Factor in Porphyrin Localization," <i>Cancer Lett</i> 33:183-188. |
| 24. | Kongshaug, M. (1992). "Distribution of Tetrapyrrole Photosensitizers Among Human Plasma Proteins," <i>Int J Biochem</i> 24:1239-1265. |
| 25. | Khosopour, R. et al. (1972). "A General Mechanism for Metal Ion Incorporation into Porphyrin Molecules," <i>J Chem Soc., Chem Comm</i> 13-14. |
| 26. | Mossman, T. (1983). "Rapid Colorimetric Assay for Cellular Growth and Survival: Application to Proliferation and Cytotoxic Assays," <i>J Immunol Meth</i> 65:55-63. |
| 27. | Ochsner, M. et al. (1997). "Photodynamic Therapy: The Clinical Perspective," <i>Drug Res</i> 47(11):1185-1194. |
| 28. | Redmond, R.W. et al. "Aggregation Effects on the Photophysical Properties of Porphyrines in Relation to Mechanisms Involved in Photodynamic Therapy," <i>Methods in Porphyrin Photosensitization</i> v.193, Kessel, D. Ed.; Plenum, New York, 1985, 293-302. |
| 29. | Richter, A.M. et al. (1990). "In Vitro Evaluation of Phototoxic Properties of Four Structurally Related Benzoporphyrin Derivatives," <i>Photochem Photobiol</i> : 52(3)495-500. |
| 30. | Spikes, J.D. "The Role of the Anatomy, Physiology and Biochemistry of Tumors in the Selective Retention of Sensitizers and the mechanisms of Photosensitized Tumor Destruction," In: <u>"Light in Biology and Medicine,"</u> v.1. Douglas, R.A. et al. Eds.; Plenum, New York, 1988, p.105-113. |
| 31. | Spilleer, W. (1998). "Singlet Oxygen Quantum Yields of Different Photosensitizers in Polar Solvents and Micellar Solutions," <i>J. Porphyrines and Phthalocyanines</i> 2:145-158. |
| 32. | Van Lier. (1991). "Photosensitization: Reaction Pathways," <i>Photobiological Techniques</i> 216:85-98. |

EXAMINER:

DATE CONSIDERED:

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